

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

SEQUOYAH DESERTHAWK
KIDWELL, A.K.A. JASON SCOTT
HARPER,

Plaintiff,

v.

STU SHERMAN, et al.,

Defendants.

No. 1:21-cv-00639 JLT GSA (PC)

ORDER ACKNOWLEDGING AND
GRANTING IN PART DEFENDANTS'
MOTION FOR SCREENING OF FIRST
AMENDED COMPLAINT

(ECF No. 30)

ORDER DISREGARDING PLAINTIFF'S
REQUEST FOR FULL FAITH AND CREDIT
OF THE UNITED STATES AS
IMPROPERLY FILED

(ECF No. 33)

Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302. The matter was removed from Sacramento County Superior Court to this Court by the Office of the Attorney General. See ECF No. 1.

Before this Court is Defendants' request that Plaintiff's first amended complaint ("FAC") be screened, as well as Plaintiff's request for full faith and credit of the United States. ECF Nos. 30, 33 (respectively). For the reasons stated below, the Court will acknowledge and grant Defendants' motion in part, and Plaintiff's request will be disregarded as improperly filed.

1 I. DEFENDANTS' REQUEST FOR SCREENING

2 Defendants' motion, filed twelve days after Plaintiff's FAC was docketed, requests the
3 Court to screen the pleading. ECF No. 30. It also requests that after the FAC is screened, that
4 they be granted thirty days from that date to file a responsive pleading. Id. at 2.

5 The Court acknowledges Defendants request to screen the FAC and states that the
6 pleading will be screened in due course. To the extent that the motion requests thirty days to
7 respond to Plaintiff's screened complaint (ECF No. 30 at 2), although typically defendants are
8 granted only twenty-one days to file a response to a served complaint, the Court will grant
9 Defendants thirty days to do so. Accordingly, Defendants' motion will be granted in part.

10 II. PLAINTIFF'S REQUEST FOR FULL FAITH AND CREDIT

11 A. Plaintiff's Request

12 Plaintiff's request for full faith and credit of the United States (ECF No. 33) is not, in fact,
13 a proper motion. It consists of a cover page with that title, accompanied by documents attached
14 to it such as an "Affidavit of Beneficial Ownership of Certificate of Title and Registered
15 Securities," a document with the cover page labeled "United States of America / Department of
16 State," a "State of Arizona Department of State" certification sheet; a certificate of live birth, and
17 a host of other seemingly unrelated documents. See id. at 2-21.

18 B. Applicable Law and Analysis

19 Federal Rule of Civil Procedure 7(b) describes the types of motions and other papers that
20 may be filed with the Court. It states that motions must "state with particularity the grounds for
21 seeking the order" and that they must "state the relief sought." Fed. R. Civ. P. 7(b)(1)(B)-(C).
22 Plaintiff has not stated grounds for seeking this "Request". More importantly, Plaintiff's attached
23 documents have not been shown to be relevant to the claims contained in his Complaint, which
24 concern conditions of confinement (water leaks) at SATF. Nor have they been shown to be
25 relevant to any pending motion in this case. In sum, the documents which Plaintiff seeks the
26 Court to afford "Full Faith & Credit" have no apparent connection to anything in this case. For
27 these reasons, it will be disregarded as improperly filed.

28 Accordingly, IT IS HEREBY ORDERED that:

1 1. Defendants' request for screening of Plaintiff's first amended complaint (ECF No. 30)
2 is disposed of as follows:

3 a. It is ACKNOWLEDGED to the extent that it requests that Plaintiff's first amended
4 complaint be screened. The Court will screen the first amended complaint in due course, and

5 b. It is GRANTED IN PART to the extent that it requests that Defendants be given
6 thirty days to file a response after the Court has screened Plaintiff's first amended complaint, and

7 2. Plaintiff's motion for full faith and credit of the United States (ECF No. 33) is
8 DISREGARDED as improperly filed. See ed. R. Civ. P. 7(b)(1)(B)-(C).

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10
11 IT IS SO ORDERED.

12 Dated: March 27, 2025

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE